

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

STEVEN RAY BREAUX : DOCKET NO. 06-1145
VS. : JUDGE TRIMBLE
STEVEN TAYLOR, ET AL :

JUDGMENT

Pursuant to the Memorandum Ruling of this date, and additionally for the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein (doc. #71), and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, it is

ORDERED that the Motion for Summary Judgment (doc. #57) be **GRANTED** dismissing (1) all of Plaintiff's claims against the Defendants, Officer George Bowen, Officer Jolynn Carter, Officer Demmick Ewing, and officer Josh Crochet, in their official capacity, (2) Plaintiff's claims that the defendants used excessive force during his arrest, and (3) Plaintiff's claims that he was deprived of medical treatment.

IT IS FURTHER ORDERED that the Motion for Summary Judgment be **DENIED** with respect to Plaintiff's claims that Defendants used excessive force following the arrest, and Plaintiff's state law claims. The matter is hereby referred to the Magistrate Judge for a scheduling conference to set the matter for trial.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 8th day of January, 2008.

James T. Trimble, Jr.
JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE